

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00012-2

DENNIS WALLS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On September 17, 2020, the United States of America appeared by Nicholas Miller, Assistant United States Attorney, and the defendant, Dennis Walls, appeared in person and by his counsel, Gregory J. Campbell, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Dylan Shaffer. The defendant commenced a twenty-month (20) term of supervised release in this action on December 23, 2019, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on June 17, 2019.

The court heard the admissions of the defendant, the evidence presented by the government and the defendant, and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant violated federal and state law in that on January 14, 2020, he possessed 32.9 grams of synthetic cannabinoids; (2) the defendant failed to contact Recovery Point and Pretera Center for residential substance abuse treatment after being directed by the probation officer on December 26, 2019, to contact the facilities daily until he was accepted; (3) the defendant failed to report to the probation office on January 22, 2020, as directed by the probation officer; (4) the defendant failed to participate in and successfully complete a six-month residential drug treatment program inasmuch as on February 21, 2020, he began residential drug treatment programming at Rock Ministries but was discharged from the program and deemed a program failure on May 27, 2020, after staff members located a smoking pipe inside his jacket at which time the defendant admitted that he ingested synthetic marijuana on one occasion; (5) the defendant failed to participate in outpatient substance abuse treatment, as well as weekly substance abuse group counseling sessions and monthly individual substance abuse counseling, at Pyramid Counseling as directed by

the probation officer; and (6) the defendant failed to appear for urine drug screens on January 9, January 14, January 24, January 29, and February 4, 2020, as directed by the probation officer; as admitted by the defendant as to (2), (3), (4), (5), and (6) above on the record of the hearing and all as set forth in the petition on supervised release, and by the court's findings on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

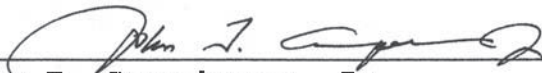
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of

EIGHT (8) MONTHS, with no further term of supervised release imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 17, 2020



John T. Copenhaver, Jr.
Senior United States District Judge